

REMARKS**Status of the Claims and Support for New Claim 31 (37 C.F.R. § 1.173(c)):**

Claims 1, 4-28, 30, and 31 are now pending. Claim 29 has been canceled hereby without prejudice and has been rewritten as new claim 31, and claim 30 has been amended to depend on new claim 31. Claims 2 and 3 were previously canceled.

The subject matter of new claim 31 is supported in the patent at least at Column 2, lines 35-40, Column 3, lines 27-40.

Regarding The Allowable Subject Matter:

Applicant notes with appreciation the allowance of claims 1 and 4-28.

Regarding the Prior Art Rejections:

In the outstanding Office Action, claims 29 and 30 were rejected under 35 U.S.C. 102(b) as anticipated by Kah Jr. U.S. Patent 4,272,024 (Kah). Reconsideration and withdrawal of this rejection is respectfully requested in view of the amendments herein.

Kah directed to a construction having a fixed nozzle plate which is riveted in place within the nozzle head. In contrast, the present invention discloses a construction in which the nozzle plate is adjustable. This invention is clearly quite different from that of the reference, and it is respectfully submitted that claim 29 reflected that difference.

Nevertheless, to better emphasize the distinguishing features implicit in claim 29, that claim has been rewritten as new claim 31. In the new claim, the clause directed to the nozzle plate now reads:

. . . a nozzle plate including an orifice therein configured for discharging water from the rotatable nozzle housing according to a desired flow characteristic, the nozzle plate being movable relative to the nozzle housing to position the orifice in or out of alignment with the flow passage.

Claim 31 thus explicitly states that the nozzle plate is movable relative to the nozzle housing to allow selective alignment of the orifice with the flow passage. There is no disclosure, teaching, or suggestion of this in Kah.

Claim 31 now recites explicitly what was already at least implicit in claim 29, and has therefore not been narrowed for statutory purposes related to patentability.

In view of the foregoing, favorable reconsideration and allowance of this application are respectfully solicited.

I hereby certify that this correspondence is being transmitted by Facsimile to (571) 273-8300 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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Respectfully submitted,

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